9/20/07 3:05:50 BK 568 PG 782 DESCTO COUNTY, MS W.E. DAVIS, CH CLERK

Current Borrower:

Marcus C. Hooker Client Loan Number: 20927616

B&H File Number: VA/FHA/PMI Number: Loan Type:

246915 0522703fl **FHA**

Property Address:

7311 Madelyn Cove, Horn Lake, MS 38637

RESCISSION OF SUBSTITUTE TRUSTEE'S SALE AND CANCELLATION OF SUBSTITUTE TRUSTEE'S DEED

***IMPORTANT NOTICE TO CHANCERY CLERK INDEX MARCUS C. HOOKER AS GRANTEE

STATE OF

MISSISSIPPI

COUNTY OF DESOTO

BEFORE ME, the undersigned authority, on this day personally appeared James L. DeLoach, the Substitute Trustee ("Substitute Trustee)" for COUNTRYWIDE HOME LOANS, INC., known to the undersigned to be the

person whose name is subscribed to this instrument, and after being first duly sworn, did state as follows:

/3800 Montfort Soite 300 Dalla, Tr. 75712- 233- 2500

1. "As Substitute Trustee for COUNTRYWIDE HOME LOANS, INC., I am familiar with the nonjudicial foreclosure sale conducted with respect to the following described real property:

LOT 19, KINGSTON ESTATE TOWNHOMES SUBDIVISION, IN SECTION 28, TOWNSHIP 1 SOUTH, RANGE 8 WEST, DESOTO COUNTY, MISSISSIPPI, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 73, PAGE 2-3, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

- Based upon information provided by COUNTRYWIDE HOME LOANS, INC., COUNTRYWIDE HOME LOANS, INC. is the owner and holder of a promissory note dated October 31, 2002 in the original principal amount of \$78,662.00 from Marcus C. Hooker to PULASKI MORTGAGE COMPANY. Said note is secured by that certain Deed of Trust dated October 31, 2002, and recorded in Deed of Trust Book 1595 at Page 0246 in the office of the Chancery Clerk of the County of Desoto, State of Mississippi; said Deed of Trust was assigned to Countrywide Home Loans, Inc., by instrument dated November 6, 2002, and recorded in Book 1621 at Page 653 of the records of the aforesaid Chancery Clerk; and said deed of trust was assigned to Countrywide Home Loans, Servicing LP, by instrument dated February 28, 2003, and recorded in Book 1701 at Page 0400 of the records of the aforesaid Chancery Clerk; and said deed of trust was assigned to Countrywide Home Loans, Inc., by instrument dated May 02, 2007, and recorded in Book 2714 at Page 352 of the record of the aforesaid Chancery Clerk.
- On July 11, 2007, a foreclosure sale was conducted whereby the Property was sold to COUNTRYWIDE HOME LOANS, INC. as set out in the Substitute Trustee's Deed dated July 11, 2007, executed by James L. DeLoach as Substitute Trustee and recorded in Book 563 at Page 256 in the office of the Chancery Clerk of Desoto, State of Mississippi.
- Unknown to James L. DeLoach at the time of the foreclosure sale and recording of the Substitute Trustee's Deed, COUNTRYWIDE HOME LOANS, INC. did not wish to proceed and could not proceed with the scheduled foreclosure sale because the borrower had filed bankruptcy; through error and mutual mistake, said Substitute Trustee's Deed was filed for record. Accordingly, as Substitute Trustee, I am rescinding the foreclosure sale and canceling the Substitute Trustee's Deed previously executed and recorded.
- As Substitute Trustee for COUNTRYWIDE HOME LOANS, INC., the holder of the above described Note and Deed of Trust, I do hereby stipulate and declare that the Substitute Trustee's Deed dated July 11, 2007 is void and of no effect whatsoever and that all acts conducted with regard to the foreclosure sale of July 11, 2007 are hereby rescinded and said property remains the property of Marcus C. Hooker, subject to said lien.
- This document is executed and filed for record to purge such real property records of all evidence of such foreclosure by the Substitute Trustee's sale including, without limitation, such Substitute Trustee's Deed described above as if such deed had not been filed of record.

FURTHER AFFIANT SAYETH NOT."

Substitute Trustee for COUNTRYWIDE HOME LOANS, INC.

Prepared by:
AFTER RECORDING RETURN TO: BUTLER & HOSCH, P.A. 13800 Montfort Drive, Suite 155 Dallas, Texas 75240
477 - 733 - 7500

B&H # 246915 Loan # 20927616



STATE OF COUNTY OF

TEXAS DALLAS § §

Sworn to and subscribed before me, the undersigned Notary Public, on this day personally appeared James L. DeLoach, as Substitute Trustee for COUNTRYWIDE HOME LOANS, INC., on behalf of said Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

_day of <u>September</u>, 2007.

Michael King

Notary Public in and for the State of Texas

